

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
CENTRAL DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case No. 2:14-cr-04064-SRB
)	
JERAMEY OBRIEN THOMPSON,)	
)	
Defendant.)	

ORDER

Before the Court are Magistrate Judge Matt J. Whitworth’s Report and Recommendation (Doc. #30) and Supplemental Report and Recommendation (Doc. #43) denying Defendant’s Motion to Suppress. Defendant filed objections to the Report and Recommendation entered on October 9, 2015, arguing Detective John Logan provided sworn testimony at the August 4, 2015, suppression hearing that was inconsistent with that provided at the state court evidentiary hearing. (Doc. #32). After a response was filed by the Government at the Court’s instruction, the undersigned remanded the motion to Judge Whitworth for reconsideration of the state court transcript, which had not been previously provided to the Court by defense counsel. After a hearing was held on December 7, 2015, Judge Whitworth issued the Supplemental Report and Recommendation explaining (1) the Court does not believe the statements were inconsistent because “Detective Logan was responding to two different questions” regarding the number of times Detective Logan had worked with the CI; and (2) the “minor inconsistency in the amount of time that elapsed from the phone call with the CI to the arrest of Defendant is not material.” (Doc. #43, p. 2, 3). Defendant filed objections to the Supplemental Report and Recommendation, renewing his assertion that there are “several inconsistencies in Detective Logan’s testimony”

and that “the conduct of the officers in this case exceeded the actions permitted” in this situation. (Doc. #48, p. 2, 5).

After an independent review of the record, the applicable law, and the parties’ arguments, the Court adopts Judge Whitworth’s findings of fact and conclusions of law. Accordingly, it is hereby

ORDERED that Judge Whitworth’s Report and Recommendation (Doc. #30) and Supplemental Report and Recommendation (Doc. #43) denying Defendant’s Motion to Suppress are adopted, and Defendant’s Motion to Suppress (Doc. #19) is DENIED.

IT IS SO ORDERED

DATED: February 4, 2016

/s/ Stephen R. Bough
JUDGE STEPHEN R. BOUGH
UNITED STATES DISTRICT COURT